

REMARKS

OF

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HON. JOHN H. SAVAGE, OF TENNESSEE,
AND HIS COLLEAGUES,

ON THE

OLD SOLDIERS' PENSION BILL;

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, DECEMBER 16, 20, and 21, 1858.

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REMARKS.

The House having resolved itself into the Committee of the Whole on the state of the Union, and proceeded to the consideration of the bill granting pensions to the soldiers of the war with Great Britain of 1812, and those engaged in Indian wars during that period—

Mr. SAVAGE said:

Mr. CHAIRMAN: I have anticipated all that has occurred in regard to this bill. Every great cause has been opposed without regard to its merits. Indeed, persecution and opposition seem to have been the most unrelenting and bitter to those that were best. Christianity came upon the world to raise a universal howl against it from the heathen nations. Progress of all kinds, from the earliest period to the present time, has met this fate. Our Revolution—the most glorious step in man's political history—had its bitter and irreconcilable opponents, who sacrificed their lives and fortunes, under the name of Tories, for the deadly hatred they bore the cause of liberty. Gentlemen opposed to this measure rejoiced as if something unexpected had occurred, when the gentleman from Alabama [Mr. CURRY] spoke against it at the last session. For myself, I was in no way disappointed. If it had not called forth some such opposition, I might have doubted its correctness and final success; but this beginning gives me a full assurance of the end, and that sooner or later the citizen soldier shall again be victorious. There is nothing new to me in the speech of the gentleman, [Mr. CURRY.] Every argument and illustration used by him was urged most eloquently, and more in detail, by Mr. Davis, of South Carolina, in 1832, against the soldiers of the Revolution; indeed, this last speech is a perfect daguerreotype of the first—smaller in its dimensions, and more concise and beautiful in its expressions. If the speech of Mr. Davis was read to-day to the committee, as much or more would be said, applicable to this bill, as was said by the honorable gentleman from Alabama. These arguments were powerless then, and will fail now.

Mr. Davis denounced the bill of 1832 as a system of immense magnitude, novelty of character, and incalculable amount. No time, he thought,

could be more unfortunate and ill-judged for the introduction of the measure. He described the nation as depressed beyond endurance, and laboring under burdens too heavy long to be borne; he called it a "mammoth bill," extending beyond all former, all describable limits, and beyond all calculable costs, ushered into the House, and pressed forward with haste and zeal; that it was "enormous, wild, and extravagant." He compared it to the herding together of wolves to chase the wounded buffalo, and said that it would saddle upon the country an annual expense of more than six millions; that it was the same system which, in the language of Jefferson, had sent the European laborer supperless to bed; that it would pension such men as General Wade Hampton, and lay the foundations for an aristocratic and privileged order; that it was a sacrifice of the property of one man for the benefit of another, and would teach the people to look to the Government for bread; that it was a system corrupting to individuals and States; and he more than once repeats what we heard from the gentleman from Alabama, that Roman liberty was but a name after the people began to feed from the public granaries.

Mr. Davis also noticed the soldiers of the war of 1812, as the member from Alabama has done the soldiers of subsequent wars; he denies that they ever dreamed of pensions; but he describes the Federal Government as then penniless and insolvent—too feeble to even furnish arms to meet the foe, and sinking upon the wild current of war, like the great Cæsar upon the swollen Tiber, crying to a generous people "Help! help me, or I sink!" The gallant citizens of the West, without arms or equipments furnished by the Government, marched to New Orleans and fought a battle that broke the hearts of tyrants, covered themselves with imperishable glory, and forever established the dignity of freemen and the power of America. These and many other offensive things were urged by the gentleman from South Carolina, in 1832, against the pension system for the revolutionary soldiers. I have noticed them for the purpose of

showing to those who may have thought otherwise, that the weapons used by the gentleman from Alabama, in his assaults upon this bill, are old, broken in former defeats, and in no way dangerous. Gentlemen, by professions of respect and kind feelings for the old soldiers, endeavor to avoid the responsibility of the arguments they make and the votes which they give; but I tell them there is no neutral ground; this is a great battle, and he that is not for us is against us. The tree must be judged of by the fruit, and the fruits of their speeches, if permitted to ripen, are death to the hopes of these old men who now, sinking to the grave under the iron grasp of poverty, cry to the nation "help! help!" as that nation cried to them in 1812, when struggling beneath the paws of the British lion.

There is another fact which makes the speech of the gentleman from Alabama the "unkindest cut of all." If I am not mistaken, he lives upon and represents the glorious battle-field of Talladega; the very soil that produces the bread that he eats contains the bones, and has been made richer by the flesh and blood, of my countrymen, offered up in 1812 as a sacrifice to the common safety and glory, and I can well believe that some poor old helpless women, whose husbands have perished from exposure in those campaigns, now listen most anxiously in their homes of poverty for your response to their petitions. I have learned from the men, the mothers, and wives of that day, the sacrifices and sufferings that attended these great achievements, and the stars of heaven shall not move more steadily in their courses than shall my feeble efforts be given in pressing their claims before the nation.

It is the greatest absurdity to adduce the English pension system as an argument against the one proposed by this bill. They are adverse in every respect. In England the power to pension is in the Crown, and the pensioners are nobles, flatterers, and favorites of the monarch—it is a royal and not national system. This bill proposes to give it to the humble and unfortunate, because of the injuries they have sustained for the public good.

It is too late for gentlemen to talk about the unconstitutionality of the pension system. The legislation in regard to the revolutionary soldiers has established the precedent, and forever fixed the constitutional law upon the subject. It is our daily practice to give pensions for injuries sustained in the service, and the argument for this bill assumes that all who enter your service are more or less injured in health, fortune, and power to labor.

In the language of the report—which I adopt on this occasion—

"Many of these gallant men return with impaired health—some with ruined constitutions; but no matter how they return; with a few fortunate exceptions, they find that while others who have remained at home have advanced, they have retrograded in the race for the good things of this world which render man independent and old age comfortable; their business and families have been neglected, their property depreciated, their patronage is in the hands of others; with them it is almost commencing life a second time at the bottom of the ladder, although their absence from home may have been of short duration. As a general rule, they give the strong days of their manhood to the service of the country, and see as much of actual war in a few campaigns as the soldiers of these vast standing armies do in their lifetime; so that our Government secures the same benefit in the hour of danger, for a very small expense, that

is obtained by other countries at the enormous cost of their perpetual establishments. The burden and sacrifices of a foreign war are, for this cause, unequally divided between the citizens of the Republic, being principally borne by the brave men who, from patriotic motives, thus enter the military service. This view of the subject may be illustrated by supposing the case of two men of equal ability following the same occupation: the one obeys the impulses of patriotism, enters your service, sheds his blood in your cause, advances your standard to victory and glory, bringing peace and renown to the nation; but in most cases, if he returns at all to the bosom of his family it is with less ability to toil, with property and business injured, perhaps lost forever, and for no other reason than because he fought your battles; this gallant man goes down to the grave in poverty, and leaves his wife and little ones to misery and want. The other, from accident, necessity, or a greater regard for individual comfort, rejoins at home, pursues his business, accumulates property, guards his family, and leaves them at his death comfortable and wealthy. No bounty of the Government is likely ever to place these men upon an equality; but a generous people should not let the old soldier die among them, when poverty has been the result of sacrifices for their safety."

Gentlemen have avoided this view of the question; they have neither answered it or tried to answer it. It suits their purposes far better to deal in flowers of rhetoric, general axioms, and abusive epithets.

Gentlemen attack the bill in its details, criticising its provisions with great severity, yet they suggest nothing in lieu of them. Now, I submit to a candid world whether they would not show themselves wiser legislators and better patriots by employing the ability which they manifest to make perfect the imperfect bill which has been reported. For myself, I had neither a hope or expectation of presenting a system perfect in its details. My purpose, when drafting the bill and report, was to present the question to the nation in the fewest words possible, and in the most striking light. I had no hopes of the passage of any bill until the people should speak out upon the subject, and order their Representatives to execute their will. I expect amendments, and should other gentlemen fail to offer those I think necessary, I will propose them myself.

I pass now over many minor arguments to answer the statement in regard to the costs. The gentleman from Alabama spoke of a table before him, carefully prepared at the Pension Office, making an estimate of the amount involved in this bill. All the world was left to infer that the gentleman's statement of facts and conclusions rested upon the authority of the pension bureau. I was astonished when the statement was made; for besides feeling confident that it was extravagant and unfounded, I knew that the Military Committee (of which the gentleman from Massachusetts [Mr. BUFFINTON] and I are members) had called upon this Department, through the President, and had received no such answer.

Mr. BUFFINTON assented.

Mr. SAVAGE. I have examined the so-called tables of the gentleman from Alabama, and find them unsigned and unauthorized by any officer of the Government, and hence this famous calculation is wholly without foundation, save the splendid imagination of the orator, or the private information of some individual. But the authority of no Department could sustain the truth of this statement. It is too easy to show that it is a very great error. This calculation assumes that more than eleven million dollars per annum will be required to meet the pensions under this bill. By reference to the message of the President, above

alluded to, in reply to the Military Committee, it will appear that the whole number of officers and men mustered from the militia in the war of 1812, was four hundred and seventy-one thousand six hundred and twenty-two; and the report of Mr. Calhoun, Secretary of War in 1820, shows that the full pay received by officers and men for the whole term of service, amounted to \$12,618,961; and by the report made to Congress, in 1836, by the Third Auditor, it appears that only one hundred and sixty-eight thousand nine hundred and eighty-two of this number were in service for the term of three months. Now, forty-five years since the war, when nine tenths of these gallant men are in the grave, the monstrous absurdity is pressed upon us by gentlemen, that the survivors of this one hundred and sixty-eight thousand will draw nearly as much by way of pension, per annum, as the whole four hundred and seventy one thousand drew for full pay during the whole time of the war.

Again, it appears from the report of Mr. Calhoun, above referred to, that the grand total of officers and men engaged in the revolutionary war amounted to four hundred and ten thousand six hundred and four. The invalids were provided for at an early period; and in 1818, all who served nine months, or to the end of the war of the Revolution, in the Continental line, were provided for. In 1832, pensions were given to all persons, militia, volunteers, and regulars who served for the term of six months in the war of the Revolution. Now, sir, the letter of the present Secretary of the Treasury, addressed to this House, on the 10th of February last, shows the sums drawn from the Government under these various acts, and it shows that under the act of 1818, and the invalid acts of a prior date, the annual appropriations on account of pensions were usually less than one million, and, with the exception of two years, never amounted to two millions. It also shows that after the passage of the act of 1832, against which the gentleman from South Carolina distinguished himself, by wild and extravagant assertions, such as we have heard from gentlemen in regard to this bill, that the appropriations were usually about two million dollars, and never in any year but one, amounting to as much as four millions, which large sum was created by the act relating back to a period anterior to its passage. It also appears by this report, that the whole sum paid by the Government, from 1792 to the present date, by way of pensions, is \$77,372,941 54, an amount not sufficient to support our little Army three years.

Now, it is seen that there is not a great difference between the numbers of the soldiers of the Revolution and those of the war of 1812; and it is known that the benefits of the revolutionary acts were extended to heirs and representatives; so that it is impossible that there can be as many applicants under this bill, which provides only for the soldier and his widow, as under the revolutionary acts. Then, away with this false clamor of \$11,000,000, or even half that sum; it is groundless, and made to draw away the mind from a fair consideration of this question.

Gentlemen assert that there is no legal right resting upon us to confer these pensions; and if claimed as a matter of right, the next step will be to adopt the policy of Great Britain, with her mag-

nificent Chelsea hospital for the relief and support of worn-out and disabled soldiers, and her Greenwich hospital—once a royal palace—as an asylum for seamen who, by age or wounds or other accidents, become unfit for service. This statement is made with a view to disparage Great Britain; but gentlemen are mistaken; they could not have found in English history so high a compliment to that imperial Power. It shows that, no matter how much we may abuse her for pampering her lordly aristocrats, her policy and providence reach down to, and care for, the humble and faithful servant. In other words, the argument amounts to this: that the English soldiers under Packenham, who invaded our country with the infamous watchwords of "Beauty and Booty," if disabled or in age, shall, because they fought for a king, be happy and comfortable in a royal hospital; but those gallant soldiers who met the storm of war by the side of Jackson, and drove back your invaders, shall be left to perish along the pathway of life, in poverty and want, because they were the citizen-soldiers of a Republic. Is this the country that I am called upon to love, defend, and honor? Shall we follow the advice of gentlemen, and prove to all mankind the truth of that most infamous charge that republics are ungrateful?

The gentleman from Alabama [Mr. CURRY] paid that most faithful and able public officer, the Secretary of the Treasury, a high compliment, and quotes from the Secretary's report to show that the Treasury was empty, and that this was not the time to pass that measure. Far be it from me to accuse the gentleman of sinister motives in passing this high eulogy; but it does become me to examine my side of the question; and before proceeding I will say that I have my fears that neither the gentleman nor the "able Secretary" would ever find a convenient season for the passage of this bill. Sir, if the Treasury is empty, how come it so? the gentleman did not inform us. If he had referred to the letter of this same Secretary, dated 10th of February last, from which I have already quoted, he will find on page 10 thereof, these words and figures: "The balance in the Treasury on the 30th day of June, 1857, was \$46,802,855," and we know that in addition to the accruing revenues, this Congress has already authorized a loan of \$40,000,000, and the Treasury is still bankrupt. The overflowing millions of the last Congress have gone somewhere, but—

"Thou canst not say I did it,"

for the old soldier has not received a dollar of it.

It is asserted that our Government has become disgracefully extravagant; that our expenses have increased out of all reason, and have run up to nearly eighty millions; but how a logician can impute this extravagance to a measure that never had an existence, requires some transcendental sagacity to discover. To recapitulate and brand abuses without showing the cause of the wrongs and the means for the remedy, is no part of statesmanship. The many political maxims quoted by gentlemen do not bear upon this bill; but only prove the truth of that saying of the first Napoleon, that, "If an empire of granite were submitted to the dogmas of political economists, they would grind it to powder." The real economist is a practical man—making liberal, wise, and necessary expenditures—not an eternal fault-finding,

"penny-wise and pound-foolish" objectionist. I yield precedence to no man in my opposition to unnecessary and extravagant appropriations; but the friends of this bill urge its adoption upon the ground that it will save the nation countless millions, by avoiding the otherwise unavoidable necessity of a large standing army in time of peace. The gentleman [Mr. CURRY] will find this view of the question wholly unanswered in the speech of his "illustrious predecessor," Mr. Davis; nor can he now, or any other gentleman, in my opinion, answer it successfully.

Among the opponents of this bill are a certain class of gentlemen upon this floor, who pride themselves upon being called the watch-dogs of the Treasury. Whether or not they deserve the honors they seem ambitious of wearing, I will leave posterity to determine. One thing I do know, that their efforts are always powerless, except against the humble and the poor.

When the Galphins and the Gardiners, the land grants, the ocean mail steamers, and all such princely schemes of public plunder, enter your Halls, if they do not crouch or stand aside for safety, their barking is no more in the pathway of these giants than the breath of a child upon the billows of the ocean. I am willing they shall be the high priests at the altar of economy; they may preach their sermons, and pharisaically thank God that they are not as other men; but I am not willing that the rights and hopes of the old soldier, and the policy of a great nation, shall be a victim to their political notions.

Gentlemen say we have no money, and it is therefore the wrong time to pass this bill. I say, if their allegation be true, that it is the wrong time for the Treasury to be empty. I brought forward this measure at the last Congress, when the Treasury was full to overflowing. The eyes of this nation were turned upon it. A universal argument was made that so much money ought not to be withheld from general circulation. Almost a thousand schemes were discussed or proposed for its distribution. Some of them forced themselves upon the records of this House. A bill to invest \$8,000,000 in railroad stocks was voted for by some very distinguished opponents of pensions. A bill also passed this House, by a vote of 119 to 79, distributing the surplus between the different States; and the old idea of bank deposits was not without its advocates.

Sir, these were the most prominent of the rival schemes for the distribution of the vast accumulation. I opposed them all as being unwise, partial, and unjust to the great mass of the nation. This money was the property of the whole people, and belonged to every man alike—to the poor and the humble, as much as to the rich and the proud; and I was unwilling to sanction any plan for its distribution that did not extend its incidental benefits, as far as possible, to every citizen of the Union. To deposit it with the banks was to give it to the merchants, speculators, politicians, and wealthy men about your cities, whose character and influence would secure accommodations. The mechanics, agriculturists, and people of the interior, would not get a dollar. To invest it in railroad stocks was a scheme for the benefit of the Shylocks and capitalists of the Union by giving them gold from the Treasury at a very high figure for railroad bonds, which they had

purchased much lower. It would have realized to those bondholders great fortunes, while the nation at large would have been in no degree benefited. I was unwilling to distribute it to the States, because I believed it would induce unwise and extravagant legislation for the benefit of the few without regard to the rights of the many. I was unwilling for this great fund to be scattered abroad, unless, like the dews of heaven, it should fall with its refreshing power upon every citizen of the Union, whether rich or poor, humble or distinguished, living in a great city or the remote country. I expected by this bill to accomplish three things:

1. To reward the old soldier for the patriotism he has displayed and the injuries sustained in your service.

2. By the honor conferred upon old age, to encourage an emulous spirit in the bosoms of our youth that will forever furnish citizen soldiers to meet the exigencies of war, and thus avoid that most to be dreaded of all necessities, a standing army.

3. A distribution and expenditure of the public revenue which will, to a greater extent than any other plan, confer its incidental benefits upon all sections and all classes.

I have neither time nor space to examine our vast expenditures; but to illustrate this view of the argument, I will state a few prominent items as a general standard.

I know that it is very difficult for the Government, in making expenditures, to confer equal benefits upon all sections and upon all classes; but I hold that it is a duty to approximate as near thereto as possible, and never, without some great necessity, to adopt measures or make expenditures which confer benefits upon one section or one class to the exclusion of others. It requires no argument to prove that if all the revenue is collected in one class of States and spent in another, or from one class of men and paid to another, that the latter will become rich and the former poor; and hence it follows that almost as much partiality and injustice may exist in disbursing as in collecting the public revenue. It appears from Secretary Cobb's report, from which I have already quoted, that the total amount appropriated by the Government since 1789, is \$1,975,935,176 97, which consists of the following items:

Civil list.....	\$119,081,454 81
Foreign intercourse, including awards.....	82,853,654 34
Miscellaneous.....	195,221,713 17
Military service.....	503,233,048 33
Revolutionary and other pensions.....	77,372,941 54
Indian department, including Chickasaw fund.....	79,434,170 16
Naval establishment.....	320,633,794 16
Appropriations, exclusive of public debt.....	1,378,032,776 51
Public debt.....	597,902,400 46
Total.....	1,975,935,176 97
Amount carried to surplus fund.....	41,925,056 26

Now, it is seen that nearly half of the whole amount collected for all purposes has been spent upon our little Army and Navy, and that our pensioners have received less than we have paid the Indians.

It appears from this same report that our expenditures for the year ending June, 1857, amounted to \$71,274,587 83, and it is well-grounded opinion, that for the last year they amounted to over eighty millions. The estimates for the present year amount to \$74,065,896 99. These vast sums

are collected from all sections, and every citizen, and a partial expenditure inflicts the greatest injustice. The large items for sustaining the Army and Navy are expended upon the borders and along the sea-board, and in the great cities. The interior agricultural people are refreshed by this golden shower to a very slight extent. And so far as I can see, it is a misfortune without a remedy; but it is not so with some other items that I will mention.

Congress has heretofore appropriated the sum of \$21,815,103 67, for roads, rivers, and harbors; which expenditures are local and partial in every respect—a mere draft upon the Treasury for the benefit of some particular city or community; and I am well informed that some gentlemen, quite prominent in this system of public plunder, have distinguished themselves as opponents of this bill. Congress has also expended much treasure in fortifying our great cities and sea-port towns. Since the year 1832, the sum of \$24,584,375 has been voted for this purpose; and of this sum, the last Congress voted \$5,684,375. To fortify our cities, may have been wise at the time this system was commenced; for then the nation was weak, and the communication with the interior slow. Now, railroads extend to every section, and the iron horse far outstrips in speed the ships upon the ocean. I hold that fortifications are, at best, a very poor substitute for the want of men. History proves them to have been more commonly the instruments of domestic tyranny than of national defense. The boasted San Juan de Ulloa, and Perote, of Mexico, have often been the prisons of her own citizens, but were as nothing in the pathway of our invasion.

Now, sir, instead of annually pouring out these large sums in our cities, in building fortifications that may never be assaulted, I propose to abandon the system and distribute the money to every section of the country, to assist in bringing up gallant men, who shall be ready and willing, when the haughty foe shall threaten, to fly with railroad speed, and stand around the beleaguered city, a wall of living valor, more to be relied on and more honorable than cold stones, though piled upon each other as high as the tower of Babel.

The old soldier is found everywhere; but, perhaps, most often in the interior agricultural regions, where public expenditures, as now made, never reach. Perhaps the very community that taught him to toil, and sent him to fight your battles in the strength of his youth, received him back again with health impaired or ruined habits. The Government, when it took this man from toil, injured his friends and neighbors; and now I propose to pay the debt by giving him ninety-six dollars per annum; and this is a gift, also, to a great extent, to that community wherein the soldier lives, for he must spend it to educate his children, for bread to eat, to pay the merchant, the doctor, and mechanic. The money, unlike the vast sums poured out upon your great cities for your Army and Navy, your printing, fortifications, or the collection of the public revenue, would be principally given to the interior agricultural regions, and become a great educational and agricultural fund to aid and strengthen these men of humble fortune who are the real strength and glory of every land; for it is they who fill your workshops, cultivate your fields, raise and educate the

children who fight your battles, and sustain the freedom of your Government at the ballot-box. This system is not only great in its accomplishments, but equal to all men in its benefits.

The Secretary of the Treasury was lauded in the public press some few months after the inauguration, because it was said that the gentleman, for the purpose of aiding the mercantile world to meet the pressure of hard times, had paid off quite a large portion of the public debt, when the same had many years yet to run. It appears, from the Secretary's financial report, that he paid the sum of \$688,977 78 by way of premium upon these debts. This operation was for the benefit of the merchants, bankers, and brokers; and, in my opinion, was equal to one fourth the annual cost of this bill. With such facts before them, the friends of the Secretary ought not to talk of the extravagance of this bill.

It may be safely said that the Army and Navy annually cost fifteen times as much as the pensions under this bill.

I exhibited to this House, at the last session, calculations of Professor Tucker and Mr. De Bow, showing that in all probability less than seventeen thousand men entitled by the bill were then surviving—requiring about a million and a half per annum to pension them. The opinions of these gentlemen are founded upon the known value of human life, and the opponents of the bill have not dared to controvert their correctness.

Every people, to maintain their independence, must have some system to guard against domestic usurpation and foreign war. The object of this bill is to avoid the European system. Vast armies there surround the thrones of princes, crushing the spirit of liberty, and destroying the substance of the people by the most ruinous and oppressive taxation. England maintains, in time of peace, about one hundred and fifty thousand; France, in 1854, had one hundred and forty thousand; Russia, in 1855, had eight hundred thousand soldiers. We have an army, by the report of Secretary Floyd to the present Congress, of seventeen thousand four hundred and ninety-eight. For the last year it cost us largely over twenty million dollars. This year the Secretary estimates for \$18,010,190 28, which we know is liable to be increased by a deficiency bill at the next Congress; from which it appears that we pay over a million dollars for each thousand men, or more than one thousand dollars per man; so that, if we adopt the European system, and raise our Army to equal that of Great Britain, it would cost annually \$150,000,000; if we rival France, over four hundred million dollars; and to equal Russia, more than eight hundred million dollars. When this system is adopted, the freedom of the people is at an end. Our little Mexican war produced five or six ambitious generals, each of whom acted as if he had a legal right to the Presidency. Discourage the citizen soldier, increase your standing Army; let a foreign war come that shall try the strength of the nation; and, unless the commander of your conquering legions shall be a second Washington, your Congress will be driven hence, your Constitution trampled under foot, and the people will become the victim and inheritance of a usurper and his descendants. Gentlemen cannot avoid it. The question upon this bill is simply,

will you have a pension list or a standing army? At the last session, Congress was asked to grant five additional regiments to the regular establishment; thereby increasing, for all time, our annual expenditures more than five million dollars. Congress refused; and if the request had been granted, past experience authorizes us to say, that if a further increase had not been asked during this Administration, it would have been demanded at the beginning of the next. Gentlemen who talk about the extravagance of this bill vote to increase the Army without hesitation. The systems are opposed to each other, and gentlemen are entitled to their opinions. The bill proposes to secure to the nation a reliance upon the citizen for military service, as the cheapest, most honorable, and least dangerous system for a free people. If we reject it, we must adopt the alternative, and expend vast sums to create a regular establishment, equal to national defense, thus devoting many of our citizens and much money to military purposes forever.

The principle of pensioning for military service has been approved by the distinguished men of the United States since 1818. It was approved by General Washington in 1780, when Congress, at his urgent request, passed a resolution giving to the officers half pay for life, and which he then described as necessary to prevent a dissolution of the army. Resting upon these high authorities, I feel confident that the passage of this bill will establish a military policy, which alone can secure the nation against the dangers of foreign war and domestic usurpation.

As to the soldiers of subsequent wars, I cannot consent to pension them now. If, hereafter, when they have grown old, and the Government is in the hands of their children, they should be honored and held up to the nation in their declining years as examples for imitation, it would be in accordance with the policy which I desire to see established. But these old men of 1812 are the fathers of the Republic—the victors in the second war of independence. They are rapidly sinking to the grave, and must be paid now or never. It is no argument to say that the Treasury is empty. The nation which they defended in the days of their youth I hope may live forever, and yet become the most glorious and powerful on the face of the globe.

REMARKS OF Mr. SMITH.

Mr. SMITH, of Tennessee. I move to amend so as to make the term of service ten days instead of three months; and upon that amendment I wish to make a few remarks.

I confess, Mr. Chairman, that my colleague, [Mr. SAVAGE,] and my friend from Kentucky, [Mr. MASON,] who have addressed the committee, have said the most of what I desired to say upon this subject. But I wish to say that I prefer a pension list to a standing army; I am willing and desirous to take care of the old men who, in the first and second wars of independence, stopped bullets at eight dollars per month; and this is the reason that calls me to my feet.

I drew a bill somewhat similar to this the first Congress in which I served, five years ago. I drew it because I believed it was but justice to the soldiers of the war of 1812; and I wish to say

further to the committee, and to the Chairman, that I have never once named the subject in any speech which I ever made in my own district. Nevertheless, there are perhaps more soldiers of the war of 1812 in my district than in any other district in the United States. More of the soldiers who served under General Jackson in the Creek war and at New Orleans in the war of 1812, came from that district than from any other; and yet, because I have desired and done what I could to do justice to these old men, I have never mentioned it in any speech in my own district, nor is it generally known there that I introduced such a bill during the first Congress in which I had the honor to occupy a seat in this House.

I fully subscribe to the opinion announced by General Washington in his letter to Congress, in reference to the soldiers of the war of the Revolution, when he said:

“On the whole, if something satisfactory be not done, the army (already so reduced in officers, by daily resignations, as not to leave a sufficiency to do the common duties of it) must either cease to exist at the end of the campaign, or it will exhibit an example of more virtue, fortitude, self-denial, and perseverance, than has ever yet been paralleled in the history of human enthusiasm. The dissolution of the army is an event which cannot be regarded with indifference. It would bring accumulated distress upon us; it would throw the people of America into a general consternation; it would discredit our cause throughout the world; it would shock our allies. To think of replacing the officers with others is visionary. The loss of the veteran soldiers could not be repaired.”

I believe that such inducements ought to be held out to our young men to enlist in the service whenever their services are required. As my friend from Kentucky just remarked, you now have a standing army of ten million men if their services were necessary. Sir, the volunteer soldiers who fight the battles of the country ought to be taken care of by the country. Why, Mr. Chairman, the only Government, the only monarchy, which ever existed for any respectable period of time, was the absolute despotism of Egypt, in which, when any man served his country in war, he was taken care of in his old age. I believe the men designated in this bill ought to be taken care of; I know old men in my own district, in the State of Tennessee, whose legs were cut off in the war of 1812, and who were thus rendered incapable of earning their living. I believe it to be the duty of the Government to take care of them. Sir, I wish to do nothing here which shall have the appearance of demagogism—nothing to make capital of in my own district. I believe that justice to these old men, justice to the country, justice to ourselves, requires that these old men, who, in the war of 1812, as I have said, stopped bullets at eight dollars per month, should be taken care of by the Government of the United States. It is an honest expenditure of the money of the Government. It injures the interests of no one. It comes from the pockets of the people, and I am willing to pay my part of it.

REMARKS OF Mr. AVERY.

Mr. AVERY. Mr. Chairman, I am opposed to the amendment of the gentleman from Alabama, [Mr. COBB,] for I do not wish to see this bill incumbered with amendments that will militate against its passage. I wish to say something, though, as to the merits of the bill. It cannot be expected that in the brief time allotted to a single

member, in a debate like this, that much can be said; but, sir, coming as I do from a State which has won for herself the proud title of the "volunteer State," a State that has shed as much luster upon our arms as any in this Union in every war in which we have ever been engaged—from King's Mountain to the gates of Mexico; a land, too, where sleep the ashes of the buried chieftains of the war of 1812, with the rank and file who followed them; I say, coming from a State like this, with these memories crowding thick and fast upon me, I cannot allow this opportunity to pass without putting upon record one *poor* word in behalf of those old soldiers of this war who still survive. What, sir, is the great argument urged against the passage of this bill? What the great bugbear held up to honorable gentlemen to frighten them from its support? Is it that it is unconstitutional? That is not the argument used. Is it that the policy is wrong? This position I do not consider as seriously contended for. Is it that it is not in accordance with our governmental policy? Why, sir, the wise, the just, the patriotic legislation of the enlightened past, has lent to this policy its most solemn sanction. What, then, is the chief ground of opposition? It is because it costs some money. Is this a valid argument, in a case like this? Is this great Government to plead poverty, in a cause like this? And who puts in this plea? Have the people done it—they, whose servants we are, and whose will we are sent here to execute? Has the potential voice of an honest, a patriotic, and outspoken people come up to the council chambers of your Capitol, from the hills and the valleys and the crowded marts of commerce, protesting against this measure? This measure has been before Congress for years, and I have yet to hear the first murmur against its passage, coming up from the people. The people are for it. Their patriotic heart beats responsive to this measure. It was argued the other day, by the gentleman from Ohio, [Mr. NICHOLS,] that he opposed this bill because, forsooth, some who would be the beneficiaries of it are above want. Is that a good argument in this case?

Mr. NICHOLS. I wish to ask the gentleman from Tennessee to do me the justice to say that I opposed the principle of the bill throughout.

Mr. AVERY. But I understood the gentleman from Ohio to urge as his chief argument, that, as a lawyer, he had ascertained in his experience that some who would be the beneficiaries under this bill were above want. Sir, it is not asked as a gratuity, a charity, but a debt. Will any gentleman dare say that it is not as much a duty to pay a debt to the rich as to the poor? While there may be some of these old soldiers who have, by their industry and frugality, elevated themselves above want, there are many, ay, more, who have not been so fortunate, and whose rough declivity of life will be made easy by this measure. But I say here in my place, that, if I knew of my own knowledge that ninety-nine of every hundred of these old soldiers were, by their own exertions, placed above the frowns of poverty, and the hundredth man was in the downhill and decrepitude of life, needy, I would still go for the bill. But, sir, this is not so; many of them are poor, and but few of them are left; they are fast falling into the tomb. Entering the army at a reasonable age would now bring them to their

threescore years and ten. Although, sir, as many (may be more) of these brave old men now live in Tennessee as in any other State, many of whom I have known from my boyhood, yet, sir, I have to meet the first man of them who has made an appeal to me to support this measure. It is their friends, their neighbors, who know them, whose hearts swell with grateful recollections of their past good deeds, that desire its passage.

As has been ably argued by my distinguished colleague who reported this bill, [Mr. SAYAGE,] one of two measures of policy must prevail in the Government: either that policy which will foster a patriotic, an enlightened citizen soldiery; or a large and expensive standing army must be kept up, composed of a hireling soldiery, recruited, too, from the sinks of vice, corruption, and degradation. It did not take me long to determine which policy to favor. Adopt this policy, sir, and we can stand against the world. Every man is a soldier, high and low, rich and poor; he is proud to be so. Standing armies grow up each year all over the land; companies, regiments, battalions, of a patriotic and proud citizen soldiery, spring by magic into being, when the first rude shock of war is felt upon our borders, ready, ay, eager, to flock to our standard wherever it floats.

REMARKS OF Mr. WRIGHT.

Mr. WRIGHT, of Tennessee. I offer an amendment to include in this bill the soldiers of Wayne's war; and I do it only for the purpose of making some remarks on the merits of the bill under consideration.

I did not intend, Mr. Chairman, to say anything with regard to this bill. I intended to express my views by simply casting my vote in favor of the bill granting pensions to those gallant men who fought the battles and achieved the victories of the war of 1812. Sir, it did not seem to me that it needed any argument to bring the mind of any gentleman to this conclusion who had read the history of that memorable contest, which, in some respects, may be called the close of the struggle for American independence. When I remember their services, and when I see many of them, now in their old age, pinched by want and living on the charity of the world, I feel that I would be doing injustice to my own conscience to withhold from them the small sum necessary to smooth their pathway to the grave. The gentleman from Alabama [Mr. CURRY] has made an argument today, in which he urges objections similar to those urged by him during the last session. He comes with an array of figures, showing the enormous amount of money involved in the passage of this bill. This was the substance of his labored speech during the last session of Congress. He does not show that the bill violates the Constitution, or that the policy is a bad one. His plea is simply that of the debtor who complains, not that the debt is unjust, but that it is too large. Sir, I do not propose to ask myself how much it will cost to do these men of 1812 justice? In coming to my conclusion I have inquired, is it constitutional, is it just, is it sound policy, to take care of the old men in their declining years, who left the comforts of home to engage in a war waged to defend the honor and preserve the rights of your flag? Having answered these questions satisfactorily to

my mind, I did not inquire how much it would cost to do it.

Some gentlemen, who pretend to be friends of the bill, have introduced amendments which, I believe, were not offered for the purpose of promoting the success of the measure, but for the purpose of its destruction. There are two ways to defeat measures here. One is by an open, bold, and manly opposition. That method of defeating a bill I can respect, even though the measure defeated finds favor with me. Nay, sir, I can admire a bold, frank, and generous foe. But, sir, I confess that I have no fancy for that other method, that assassin-like way of pretending friendship, mainly for the purpose of more effectually destroying a measure of proposed legislation. Gentlemen may aver upon this floor that they are the friends of this bill; they may indulge in loud declamation, glorifying the men who fought the battles of the country, but they shall be judged by their acts and not by their words. The people, whose servants we are, will know who the real friends of the bill are, and who are the enemies, concealed though they may think themselves.

I say, sir, that it is a proper and a wise policy to grant pensions to the soldiers of the war of 1812. The fathers of the Republic did not consider it a dangerous policy; nor did they stop to count the cost to grant pensions to the gallant men who fought the battles of the Revolution, and achieved American independence.

Amendments have been offered and speeches made, endeavoring to show that the men who have been engaged in all the other various wars of the Republic are equally entitled to pensions. I say, sir, that the cases are entirely different. The men of 1812 are now old—tottering, sir, upon the brink of the grave; most of them are in needy circumstances; many of them actually in want, living upon the cold charity of the world. Their time on earth is short, at best; and my experience does not accord with that of the gentleman from Ohio, [Mr. NICHOLS,] who thought that most of them were in easy pecuniary circumstances.

I agree with my colleague, [Mr. AVERY,] that if I knew of but one single instance of a man who had performed valuable services in that war, whose poverty made him an object of this bounty, against many who did not need it, I would not withhold my vote from this measure. And, sir, when in the course of time the soldiers of our other wars may be placed in circumstances similar to those surrounding the men of 1812, should I be in public life, I would also be found ready to do them justice. At any rate, I doubt not that posterity will take care of them.

I do not agree with the honorable gentleman from Alabama, [Mr. CURRY,] as to the amount of money it will require to carry out the provisions of this bill. I think he has greatly overestimated it. I believe that the figures of my colleague, [Mr. SAVAGE,] who reported the bill, are nearer correct. And yet, sir, even did I agree with the gentleman from Alabama, I would vote for the bill. I am of opinion that my friend from Alabama is honestly a friend to economy. I am a friend to economy. My record shows it. I think it quite as good as the gentleman's or anybody's on that question, but economy does not

require injustice. There are thousands of ways in which we can exercise sound and practical economy. I will go with my friend in any of these; but I will not refuse the full share of justice to the men who defended our shores against a hostile foe, who spent their youth in the service of the country, and who, when they have grown old and infirm, come and ask their children for the small pittance which this bill proposes, wherewith to keep them from penury and want. Sir, I will vote for the measure, and if I err, I shall at least have the consolation of having erred in behalf of humanity, in behalf of men whose valor shed glory upon the American name, and left their children an imperishable renown. I will now withdraw the amendment which I offered.

REMARKS OF Mr. ATKINS.

Mr. ATKINS. I cannot concur in the amendment of my friend from Missouri, [Mr. CLARK.] I regret the action of the committee in loading down this bill with amendments. I will not question the motives of honorable gentlemen. I had hoped that the sense of the House would be tested upon the original proposition. In my judgment, it should be restricted in its provisions to the soldiers who were engaged in actual service in the last war with Great Britain.

Besides being requested by the Legislature of my State, I could not do less than support this bill, representing as I do, in part, the chivalrous people of Tennessee—the land of Jackson, and Carroll, and Coffee, and others, whose martial deeds have shed such a luster upon the escutcheon of our common country. I feel, sir, that I owe it to the memory of the honored dead, as well as to the rights and necessities of the gallant living. In restricting myself to the bill I have indicated, I would not be understood as detracting in the least from the well-earned fame of any of our countrymen, who have participated in any of the wars that have occurred since 1815—the Seminole, Creek, or Mexican wars. They have all acted bravely and patriotically, and deserve the gratitude of their country. When time shall have bowed their manly forms, and whitened their locks with the frosts of sixty or seventy winters, as it has all the soldiers of the war of 1812—to say nothing of the thousands whom old age has borne long since to the tomb—I doubt not the Representatives of the people will be far more prompt to remember their services, and to throw the fostering arm of the Government around them, and shield and protect them from want, as they shielded and protected the nation's honor from the insults of an arrogant foe, and the hearthstones of innocence from the indecent outrages of a licentious soldiery.

Sir, we have been asked by the gentleman from Alabama, [Mr. COBB,] in the course of this debate, why discriminate between the soldiers of the war of 1812 and those of the Mexican war? I have shown why. But I will not rest the question there. I will appeal to the gallant spirits who participated in that sanguinary struggle; whose deeds of valor have decked their own and their country's brow with a coronet of unfading glory, some of whom their grateful and admiring countrymen have delegated as their Representatives upon this floor and the floor of the American Sen-

ate. Will you say that the easements are similar? Do you feel that there is the same justice and necessity to afford you this relief, that there is to the surviving veterans of the second war of independence? From the nobleness of your hearts comes up the patriotic but just response, No! You are in the meridian of life, while all of them are old; the sun of the hopes of many of you has barely reached its culmination, and is pouring its noontide splendor upon your pathway; while, with them, the sun of life is nearly set, and its dim and slanting shadows falling before their feeble footsteps, too plainly warns them of the near approach of the dreary night of death. Very many of them are standing with one foot in the grave, and the other upon its brink, poor, penniless, and dependant upon the gratitude and beneficence of kind friends and relatives; while others, perhaps, may not be so fortunate, but may depend upon the cold charity of a pitiless and mercenary world. Sir, when the soldiers of the Mexican war, or of any other war, shall have lived near half a century from the date of their service, as have those who we propose to be beneficiaries by this bill, and their necessities incident to age, decrepitude, and indigence, shall be manifest like these; then will Congress, I doubt not, be ready to do them justice.

Gentlemen talk about this bill as a bounty, as a gift. We do not come as supplicants to this House. We do not ask it as a bounty; we demand it as a *debt* due to those brave old men for their heroic services. Will any gentleman say that the debt has been discharged? Has eight dollars per month, and one hundred and sixty acres of wild land, compensated them for the labors of the camp, the toils of the march, and the dangers of the field? Do you count as nothing the sacrifices they made, the leaving home with the thousand charms that cluster around it; the parting from wife, children, friends, all, to brave the bloody horrors of the battle-field? Sir, it was not money; a higher and a nobler sentiment controlled their action and animated their hearts—their love of country. And as patriotism made them shoulder their muskets and rally to their country's defense, not counting the cost, why cannot the same magnanimous, liberal, and patriotic spirit prompt us to rush to the relief of their necessities, and drive back the demon want from their door? There are but few of them left, and every year makes the number less. All of them were ready to make a free offering of their life upon the altar of their country's honor. Thousands fell, and their funeral dirge is now chanted as a psalm to the nation's glory; and shall their surviving comrades be less fortunate? Shall they linger out in obscurity and poverty the evening of a life, the morning of which was illustrated by deeds of such noble daring?

Will not the country awake to a high sense of the moral obligation and legal right which demands of it to protect these old men, now that they, or many of them, are unable to protect themselves. Oppose it, because it will cost some money! When did any great measure, intended to benefit the country or mankind, originate that did not cost money? Will the young men of the country complain? Never! Their hearts are too full of patriotic fire. Before we complain of the cost, let us first retrench the heavy and groaning expenditures of the Government. I, for one, sir, will vote to-day for a ten per centum reduction

upon the salary of every officer of the Federal Government, from the President down to the gardener of your public grounds, if it will facilitate the passage of this measure. Two or three millions annually is all that will be required under this bill. But what if it is more? Will you stop to count the cost? Did those brave old warriors stop to count the cost, when the clarion note of war summoned them to the field? when the British regulars, trained under the rigid discipline of the Iron Duke, were marching under Pakenham upon the queen city of the South, the gateway of our southern and western commerce, with his troops fresh from the victorious fields of Europe, frenzied with the brutal watchword of "beauty and booty," did the gallant spirits who rallied around the flag of Andrew Jackson, stop to count the cost? No! But with an utter abandonment of self, and recklessness of life, with their heroic leader at their head, drove back the British lion upon the plains of Chalmette, thus proving to the world the efficiency of the citizen soldier over that of the regular. No brighter gem studs the diadem of fame that encircles the fair brow of Columbia, than that which answers to the memorable victory of the 8th of January, 1815.

The question is not what it will cost. Is it right, is it just, is it magnanimous, is it humane, and lastly, is it grateful? Bring any charge you will against the Government. Say it is parsimonious, say it is false, heartless, unjust, oppressive; but do not subject her to the charge of ingratitude, that "foulest whelp of sin." Shall this country be more unmindful of its defenders than other nations? Shall posterity learn the mortifying lesson that our Government is willing to lavish millions upon a standing army, and not a cent to the brave volunteer, when old age has overtaken him and poverty has laid its heavy hand upon him? Will not these old men feel, if you defeat this bill and thereby deny them that relief so necessary to their comfort and support, that the Government has forgotten the hours of its peril and extremity, and that it disregards the heavy sacrifices made by them for their country? Will they not feel that they have only lived to be forgotten by that country for whose defense they would have laid down their lives; that the memory of their illustrious deeds had faded from the hearts of posterity ere life itself had passed away? Why did the Old Guard follow blindly and madly the eagles of Napoleon over the frozen snows of the Alps, or through the terrible conflagration of the imperial city of Moscow? Even the iron heart of that man of blood melted in pity and gratitude for the sufferings and services of his soldiers, and his purse-strings were ever ready to be loosed to relieve their necessities; and shall the most enlightened nation in Christendom, in the middle of the nineteenth century, be less generous than the great imperial autocrat, whose throne was but the mausoleum of liberty? Defeat this bill, and a standing army like a bird of prey will swoop down and gnaw at the vitals of the Republic. Pass it, and a million of men from the North, South, East, and West, from hill and dale, from your crowded cities and mountain fastnesses, at the first bugle blast of war will rally to your flag, and like the heroic sons of the Spartan mother, will return it blazoned all over with victory, or be encircled in its folds as their winding-sheet.

REMARKS OF Mr. MAYNARD.

Mr. MAYNARD. I move to amend the amendment by adding "the soldiers in the war with the Barbary Powers." I offer the amendment chiefly for the purpose of stating my objections to certain arguments addressed to our consideration, such as that which we have just heard from the gentleman from South Carolina, [Mr. KEITT,] and such as those made by the gentleman from Alabama, [Mr. CURRY,] and the gentleman from Maryland, [Mr. DAVIS.] I took occasion, at the last session of this Congress, to express my views briefly on this general subject, and I shall not deem it necessary, now, to recapitulate them. But I confess it has required some self-constraint on my part, to sit and listen to some things addressed to us by gentlemen, by honorable, able, and distinguished gentlemen. I think they do themselves injustice.

Why, sir, we are told by the gentleman from South Carolina that a pension system is impolitic and injudicious, as though it was now proposed to establish it for the first time. The pension system is one that has been recognized from the very earliest period of our Government, and indeed it was recognized before we had a Government. And it is, in my estimation, in no small degree owing to the fact that we have established that policy as a part of our military system, that we see that eagerness and promptitude on the part of our young men, in their pride and chivalry and gallantry—uncaring what shall befall them in after life—to rush forward to the defense of our country, and which was manifested so conspicuously twelve months ago, on the occasion alluded to by the gentleman from South Carolina, [Mr. KEITT.] The argument to be drawn from experience, I think, wholly sustains the system, now so well established and so long in operation.

Again, we are told by the gentleman from Alabama [Mr. CURRY] that there were, I think he said, 250,000 men engaged in the war of 1812; that three eighths of them still survive; and that to pension them would cost the Government annually from nine to eleven millions of dollars.

Mr. CURRY. Allow me to correct the gentleman. The total force engaged in that war, including the militia, the regular Army and the Navy, was 522,747.

Mr. MAYNARD. I misunderstood the gentleman's figures, but I rejoice that the number was even greater than I had thought. It speaks well for the patriotism and gallantry of our fathers; and I rejoice if there are so many of them alive, as he supposes—a much larger proportion, however, than, I am afraid, the facts will warrant. But is that any reason why we should neglect them? It is no reason, to my mind, why we should turn upon them with ridicule and sneers and derision, and exclude them from the same boon and benefit which we have conferred on other men who, like them, were engaged in the service of their country. Ten millions out of an annual expenditure of more than eighty millions! And \$80,000,000 for what? Look around this Hall; look around your Capitol; go to your navy-yards; go to your fortifications; look to your jobs and your contracts; go to your printing office; and count up the items that make up this \$80,000,000;

ponder them well; and then go home and tell your constituents that our Government is so poor, that there is so little money in the Treasury, that you cannot pay the old soldier for his services, rendered, perhaps, before you were born. Go to the country with that argument; address it to the people, and let them hear it; and when the old soldier comes halting up, diseased, decrepit, and haggard; his youth and his health and his buoyant heart given long ago to his country; ay, and asks for a tardy payment of the debt which you owe him, tell him that you cannot pay him, for you have to give the money away to a shoal of pets and favorites for gewgaws, "chips and wheelstones," and Heaven knows what besides.

But my distinguished friend from Maryland [Mr. DAVIS] puts the case upon another ground; he raises another objection to the pension system. He says that this thing of fighting for the country and defending it is a matter of duty. So it is; but is it the duty of one man to the exclusion of his neighbor? Is it the peculiar duty of the soldier, to the exclusion of him who stays at home and tills his ground, or attends to his merchandise? Why, the defense of the country is the common duty of all. While that is so, it is equally the duty of the Government of the country to see that those who go into actual service, that those who suffer the hardships and privations of the camp, that those who neglect their own private business for the interests of the country—when they come into the evening of life, when they are deprived, as I undertake to say most of them are, of those advantages and those facilities for a comfortable support that other employments will generally secure—I say it is the duty of the Government to see that those men are not turned adrift, with no provision for their support. The duties are reciprocal—the duties of the citizen-soldier to the Government, and the duty of the Government to the soldier. I am content to place the matter on the high ground of duty—of right; duty to the men who have periled their lives in the cause of their country, and have suffered hardships and privations fatal to many of their comrades; disastrous to themselves. It is, in my opinion, no less a dictate of duty than a wise and judicious policy, to see that they shall have no reason to regret the services from which we have gained so much.

After further discussion,

Mr. MARSHALL, of Kentucky, moved to strike out the enacting clause of the bill; which was agreed to—ayes 82, noes 76.

Mr. SMITH, of Tennessee, moved that the committee rise; which motion was agreed to.

So the committee rose; and the Speaker having resumed the chair, Mr. JOHN COCHRANE reported that the Committee of the Whole on the state of the Union had, according to order, had the Union generally under consideration, and particularly House bill (No. 259) granting pensions to the officers and soldiers of the war with Great Britain of 1812, and those engaged in Indian wars during that period, and had directed him to report the same back to the House with a recommendation that the enacting words be stricken out.

Mr. SAVAGE then moved a non-concurrence in the recommendation of the Committee of the

Whole on the state of the Union, and called for the previous question.

The previous question was seconded—ayes 90, noes 68.

The question was then put on striking out the enacting words of the bill; and non-concurred in by the House—yeas 75, nays 127.

Mr. FENTON then offered a substitute for the bill; which was rejected—yeas 98, nays 100.

The question then recurred on the substitute offered by Mr. SAVAGE; which was agreed to—yeas 122, nays 61.

The bill was then ordered to be engrossed and read the third time.

Mr. SAVAGE demanded the previous question on the passage of the bill.

The question was put, and decided in the affirmative—yeas 130, nays 74; as follows:

YEAS—Messrs. Abbott, Adrain, Ahl, Anderson, Andrews, Arnold, Atkins, Avery, Bennett, Bingham, Bishop, Bowie, Brayton, Buffinton, Burlingame, Burnett, Burns, Caruthers, Case, Cavanaugh, Chaffee, Ezra Clark, John B. Clark, Clawson, Clay, Cobb, Clark B. Cochrane, John Cochrane, Cockerill, Colfax, Comins, Corning, Covode, Cox, Cragin, James Craig, Curtis, Davidson, Davis of Indiana, Davis of Massachusetts, Dawes, Dean, Dick, Dimmick, Duffee, Edie, Elliott, English, Farnsworth, Florence, Foley, Foster, Gartrell, Giddings, Gilmer, Goodwin, Granger, Gregg, Lawrence W. Hall, Harris, Haskin, Hatch, Hawkins, Hoard, Hopkins, Hughes, Huyler, Jewett, Owen Jones, Keim, Kellogg, Kelsey, Kilgore, Knapp, John C. Kunkel, Lawrence, Leidy, Humphrey Marshall, Samuel S. Marshall, Mason, Maynard, Morrill, Edward Joy Morris, Isaac N. Morris, Niblack, Paluer, Parker, Pettit, Peyton, Pottle, Powell, Priviance, Ready, Reilly, Ricand, Robbins, Roberts, Royce, Russell, Savage, Scott, Searing, John Sherman, Judson W. Sherman, Shorter, Robert Smith, Samuel A. Smith, Spinner, Stanton, Stevenson, James A. Stewart, William Stewart, Talbot, Tappan, Thayer, Thompson, Tompkins, Tripp, Underwood, Vance, Waldron, Walton, Ward, Watkins, White, Wilson, Woodson, John V. Wright, and Zollicoffer—130.

NAYS—Messrs. Barksdale, Billingshurst, Bliss, Bockock, Bonham, Boyce, Branch, Bryan, Caskie, Chapman, Horace F. Clark, Burton Craige, Crawford, Curry, Davis of Maryland, Davis of Mississippi, Davis of Iowa, Dodd, Dowdell, Faulkner, Fenton, Garnett, Gilman, Goode, Greenwood, Groesbeck, Grow, Harlan, Hill, Horton, Houston, Howard, Jackson, Jenkins, George W. Jones, Keitt, Leach, Leiter, Letcher, Lovejoy, Maclay, McQueen, Miles, Miller, Millson, Moore, Morgan, Freeman H. Morse, Mott, Murray, Nichols, John S. Phelps, William W. Phelps, Phillips, Pike, Reagan, Ritellie, Sandidge, Scales, Seward, Henry M. Shaw, Singleton, William Smith, Stallworth, Stephens, Miles Taylor, Wade, Walbridge, Cadwalader C. Washburn, Ellihu B. Washburn, Israel Washburn, Whiteley, Winslow, and Wortendyke—74.

So the bill was passed.

Mr. SAVAGE moved to reconsider the vote by which the bill was passed, and also moved to

lay the motion to reconsider on the table; which latter motion was agreed to.

The title of the bill was adopted.

The following is the substitute of Mr. SAVAGE, which was finally passed:

That each of the surviving officers, non-commissioned officers, musicians, and privates, who shall have served in the regular Army, State troops, volunteers, or militia, for a term of sixty days or more, or who have been engaged in actual battle with the enemy, in the war declared by the United States against Great Britain, on the 18th day of June, 1812, be authorized to receive a pension from the United States, to commence from the first day of the present Congress, and continue during his natural life.

SEC. 2. *And be it further enacted*, That each of the officers, non-commissioned officers, musicians, and privates, who have served in the regular Army, State troops, volunteers, or militia, of any State or Territory, for the space of sixty days or more, against any of the Indian tribes during or preceding the war of 1812 with Great Britain, or who were engaged in any battle fought by the United States against any Indian tribe during the aforesaid war with Great Britain, shall be entitled to all the benefits of this act.

SEC. 3. *And be it further enacted*, That if any of the officers, non-commissioned officers, musicians, or privates, have died, or shall hereafter die, leaving a widow, such widow shall be entitled to receive the same pension to which her husband would have been entitled under this act, for and during her natural life.

SEC. 4. *And be it further enacted*, That the pay allowed by this act shall, under the direction of the Secretary of the Interior, be paid to such officer, non-commissioned officer, musician, private, or his widow, or their authorized attorney, at such times and places as the Secretary of the Interior may direct; and that no officer, non-commissioned officer, musician, private, or his widow, shall receive the same until he furnish the said Secretary of the Interior with satisfactory evidence that he is entitled to the same, in accordance with the provisions of this act; and that the pay hereby allowed shall not be, in any way, transferrable or liable to attachments, levy, or seizure, by any legal process whatever, but shall go unincumbered to the possession of the officer, non-commissioned officer, musician, private, or his widow.

SEC. 5. *And be it further enacted*, That the officers, non-commissioned officers, and marines, who served for the time of sixty days in the naval service, or were engaged in battle with the enemy, during the war with Great Britain aforesaid, and their widows, shall be entitled to the benefits of this act, in the same manner as is provided for the officers and soldiers of the Army of the war of 1812.

SEC. 6. *And be it further enacted*, That the pension provided by this act shall in no case exceed the full amount of ninety-six dollars per year, and shall be graduated according to the length of service, as follows: For twelve months' service, or more, ninety-six dollars; for six months' service, but less than twelve months, seventy-five dollars; for sixty days' service, but less than six months, fifty dollars: *Provided*, That the survivor, or surviving widow of an officer, non-commissioned officer, musician, or private, who participated in actual battle, in said war, shall be entitled to the maximum pension given by this act.





